UNITED STATES PATENT AND TRADEMARK OFFICE

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10/080,878	02/22/2002	Paul Trevithick	PARITY-101J	9151

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *28 June 2007*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-27* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

FINAL ACTION

1.   This Office action is in response to amendment filed on 6/28/07. Claims 28 and

29 have been canceled. Claims 1-27 are presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Borwankar (US 6,594,693), in view of Murakami et al, (US 6,978,292), hereinafter

Murakami.

4.   As to claims 1 and 15, Borwankar discloses the invention as claimed, including a

method of characterizing relationships among members of a social network (col. 8, line

53 – col. 9, line 21), the method comprising the steps of:

receiving a plurality of messages communicated during a dialogue between

members of a social network (col. 6, lines 17-67, "online group messaging...participants

in the group conversation can communicate with each other");

determining a purpose for each of the messages (col. 7, lines 22-63, "content

type line 308 indicates what type of content is contained in a body 312"; col. 8, lines 1-

52, "content type tag");

determining a status of the dialogue (abstract, col. 4, lines 1-13, "terminate the

sub-conversation, terminate the conversation, invite a late participant, delete an existing

participant");

determining at least one pattern in the messages communicated during the

dialogue (fig. 5b; col. 10, line 51 – col. 11, line 6; col. 4, lines 1-13, "terminate the sub-

conversation, terminate the conversation, invite a late participant, delete an existing

participant"); and

characterizing the relationships among the members of the social network based

on the pattern and purposes of the messages (fig. 4; col. 8, line 53 – col. 9, line 21,

"initiator...the person who is responsible for organizing the party...Christmas party

committee may have seven other members...A topic such as Dining arrangements

associated with the Christmas party conversation has one initiator and one terminator").

5.   Borwanker explicitly teaches determining a status of dialogue (fig. 7a; col. 11,

line 43 – col. 12, line 38, "*examining a message...*a message between receipt of a

message...and delivery...*determines whether a particular conversation name and topic

name of the message being examined exists*") and updating the dialogue *message* as

the dialogue progresses (710, fig. 7a, "**add conversation and topic to table in meta

information**; col. 11, lines 7-42, "information associated with each message informs the

user of the history of the message...what messages preceded the current message,

participants involved, dates and times messages were sent, and under what

conversations, sub-conversations, and topics they were sent are all available to a

participant in a conversation...*this type of historical information behind each message is*

maintained at each client machine and is enforced by the persistence"; col. 12, lines 1-

5, "***it adds the conversation name and topic name to the participant's meta***

information; col. 1, lines 57-62). Furthermore, Murakami explicitly discloses updating

the dialogue status (figs. 4, 7; col. 9, line 51 – col. 11, line 24). It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

combine the teachings of Borwankar and Murakami because Murakami's updating the

dialog status would enable a user to select a virtual space (chat room) based on the

chat contents (Murakami, col. 2, lines 52-65).

6.   As to claim 2, Borwankar discloses selecting one of a plurality of purpose

categories (abstract, col. 4, lines 1-13, "terminate the sub-conversation, terminate the

conversation, invite a late participant, delete an existing participant"); and embedding

indicia of the selected purpose category in at least one of the plurality of messages (fig.

3; col. 4, lines 14-33; col. 7, line 12 – col. 8, line 52).

7.   As to claim 3, Borwankar discloses determining the purpose of at least one of the

plurality of messages by extracting the indicia therefrom (fig. 3; col. 7, line 12 – col. 8,

line 52).

8.   As to claim 4, Borwankar discloses determining the purpose of each of the

messages by extracting indicia of such purpose from a body section of each message (312, fig. 3a; 324, fig. 3b; col. 7, line 12 – col. 8, line 52).

9.   As to claim 5, Borwankar discloses determining the purpose of each of the messages by extracting indicia of such purpose from a header section of each message (302-310, fig. 3a; 302-322, fig. 3b; col. 7, line 12 – col. 8, line 52).

10.   As to claim 6, Borwankar discloses at least one of the messages is an electronic mail message (col. 1, lines 16-19).

11.   As to claim 7, Borwankar discloses wherein the purpose determined for each of the messages is selected from at least one of a note, an acknowledgement, a counter, a reverse counter, a complete, a commit, an acceptance, an offer, an invitation, a withdrawal, an opt-out, a request, and a question (fig. 5b; col. 4, lines 1-13, "invite the conversation, terminate the sub-conversation, terminate the conversation, invite a late participant, delete an existing participant"; col. 10, line 51 – col. 11, line 6, "decline, acceptance, invitation").

12.   As to claim 8, Borwankar discloses wherein the pattern in the messages corresponds to one of a frequency of interaction, a latency in response, a latency in completion, a successful completion ratio, a nonresponsive ration, an unsuccessful ration, and a number of participating members until completion (col. 10, line 51 – col. 11, line 6, "no response after a predetermined amount of time"; col. 9, lines 1-21, "seven

other members").

13.   As to claim 9, Borwankar discloses analyzing the purpose for each of the

messages to determine the pattern in the messages (col. 4, lines 1-13, "invite the

conversation, terminate the sub-conversation, terminate the conversation, invite a late

participant, delete an existing participant"; col. 10, line 51 – col. 11, line 6, "decline,

acceptance, invitation").

14.   As to claims 10, 11, 13 and 14, Borwankar does not specifically disclose

classifying the outcome for each of the messages as one of a favorable, unfavorable,

and neutral type and assigning a score to each of the members of the social network

participating in the dialogue. However, Murakami discloses classifying the outcome for

each of the messages as one of a favorable, unfavorable, and neutral type and

assigning a score to each of the members of the social network participating in the

dialogue (fig. 4; col. 10, line 10 – col. 11, line 24). It would have been obvious to one of

ordinary skill in the art at the time of the invention was made to combine the teachings

of Borwankar and Murakami because Murakami's classifying the outcome and

assigning a score would encourage smoother communication by allowing only members

to communicate each other who have similar interests (Murakami, col. 12, lines 20-32).

15.   As to claims 12 and 25, Borwankar does not specifically disclose incrementing

and decrementing the score assigned to a particular one of the participating members in

response to favorable purposes associated with messages transmitted by that particular

participating member. However, Murakami discloses incrementing and decrementing

the score assigned to a particular one of the participating members in response to

outcomes associated with the messages transmitted by that particular participating

member (fig. 4; col. 7, line 51 – col. 8, line 67; col. 10, line 10 – col. 11, line 24). It would

have been obvious to one of ordinary skill in the art at the time of the invention was

made to combine the teachings of Borwankar and Murakami because Murakami's

adjusting the score would encourage smoother communication by expelling a member

who is not suitable in the dialogue (Murakami, col. 12, lines 20-32).

16.   As to claim 16, it is rejected for the same reasons set forth in claim 2 above.

17.   As to claim 17, it is rejected for the same reasons set forth in claim 4 above.

18.   As to claim 18, it is rejected for the same reasons set forth in claim 5 above.

19.   As to claim 19, it is rejected for the same reasons set forth in claim 6 above.

20.   As to claim 20, it is rejected for the same reasons set forth in claim 7 above.

21.   As to claim 21, it is rejected for the same reasons set forth in claim 8 above.

22.   As to claim 22, it is rejected for the same reasons set forth in claim 9 above.

23.   As to claims 23, 24, 26 and 27, they are rejected for the same reasons set forth

in claims 10, 11, 13 and 14 above.

Response to Arguments

24.   Applicant's arguments filed 6/28/07 have been fully considered but they are not

persuasive.

25.   Applicant asserts that both Borwanker and Murakami do not teach "determining a

status of a dialogue and updating the dialogue status as the dialogue progreeses.

The examiner respectfully disagrees. The examiner finds that Borwanker

explicitly teaches determining a status of dialogue (fig. 7a; col. 11, line 43 – col. 12, line

38, "*examining a message…*a message between receipt of a message…and

delivery…*determines whether a particular conversation name and topic name of the

message being examined exists*") and updating the dialogue *message* as the dialogue

progresses (710, fig. 7a, "**add conversation and topic to table in meta information**;

col. 11, lines 7-42, "information associated with each message informs the user of the

history of the message…what messages preceded the current message, participants

involved, dates and times messages were sent, and under what conversations, sub-

conversations, and topics they were sent are all available to a participant in a

conversation…*this type of historical information behind each message is maintained at*

each client machine and is enforced by the persistence"; col. 12, lines 1-5, "*it adds the*

conversation name and topic name to the participant's meta information; col. 1,

lines 57-62). Furthermore, the examiner does not rely upon Murakami to teach

determining the status of a dialogue. Murakami relies on only to teach updating the

dialogue status (figs. 4, 7; col. 9, line 51 – col. 11, line 24). It would have been obvious

to one of ordinary skill in the art at the time of the invention was made to combine the

teachings of Borwankar and Murakami because Murakami's updating the dialog status

would enable a user to select a virtual space (chat room) based on the chat contents

(Murakami, col. 2, lines 52-65).

26.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

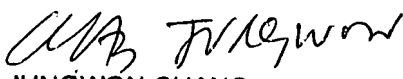27.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 6:30-2:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 16, 2007

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